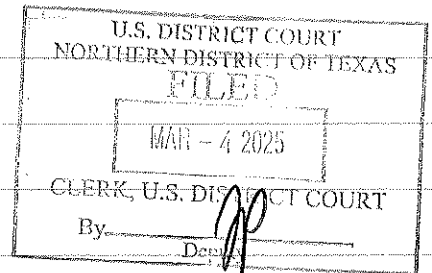


In The (5th Circuit) Of The United States
District Court of Northern Texas

Jimmy Jonathan Balderas
Vs
The State of Texas



Civil Action No. **4-25CV-209-0**

42 U.S.C. Section 1983 Complaint

To the Honorable Judges of the (5th Circuit) of the United States District Court of Northern Texas Comes now I Jimmy Jonathan Balderas #0762777 who is and was at all times mentioned here as the Prisoner/Plaintiff in this civil suit against the state of Texas for infactions that have been committed against him and against the

Such as constitutional Violations as well as others. I would also like to take this opportunity to ask for your forgiveness if I neglect, or fail to address these matters appropriately, And ask you to Keep in mind that my intellect is very limited

-Jurisdiction & Venue-

This is a civil action authorized by 42 U.S.C. Section 1983 to redress the deprivation, under the color of the State law, of rights secured by the constitution of the 28 U.S.C. Section 1331 and 1343(a)(3). The plaintiff also seeks
(Pg. 1)

for declaratory relief pursuant to 28 U.S.C. Section 2201 and 2202. Plaintiff also claims for injunctive relief authorized by 28 U.S.C. Section 2283 & 2284 and rule 65 of the ~~the~~ Federal rules of civil Procedure

- Plaintiff -

Jimmy Jonathan Balderas #0762777

- Defendants -

Arresting officer "Owens #470" Prosecutor "Franzen Deanna" "Judge Julie Lugo" My Attorney of Record Mr. "Kobby T Warren"

- Fact / Legal Claims -

Count One: The first would be as how I was deprived of the right to "Due Course of Law" under the fourteenth Amendment "Section 1" as he was acting under the color of the state law, when I attempted to form a social compact with authorities by cooperating with the officers in every respect by answering all and any questions without protest. In which case I should of been granted some of the privileges and immunities provided by the Constitution of the United States such as the "Due Course of Law" by only arresting me and not ~~investigating~~ investigating the allegations I had made of the house being full of stolen stuff. when I in no form or fashion waived my rights, In fact I attempted to do more then what was required of me in order to obtain the privileges and immunities provided by the fourteenth Amendment, I even went as far as to try to present them with Evidence that I believe would of helped prove these allegations and or helped continue the Investigation.

Now due to the course of action taken by the manfield Police officer "Owens #490" I find my self placed under an unreasonable burden. Due to this irreconcilable mistake I have no way of proving any of the allegations I made that day

Count two: Is to my attorney of record Mr "Kobby T. Warren" for a violation of the "Rule 8.04 Misconduct" and again for "Obstruction of Justice"

The first reason is that according to "Rule 8.04 Misconduct" states that a lawyer shall not engage in conduct constituting dishonesty, fraud, deceit, or misrepresentation engage in conduct constituting obstruction of justice

The way I plan to prove it is because of how my Now and then attorney Mr Kobby T. Warren has been dealing with me in an "obscene matter," witch constitutes a violation according to "Chapter twelve. Limitation Art 12.015 Racketeering" witch states (1) Racketeering activity means (A) any act or threat involving, dealing in ~~an~~ obscene matter it also list a few more, I've only put the one that applies to my case, As proof of both of these allegations would how he has been acting like he can't get him self removed off of my case as I've asked him on more then one occasion, Yet The request I made listed under reference # "21,373,469" will show that I have "No Atty listed" along with the information of my Next Court date being as how I had originally made the request seeking that information, I got the response 09/25/2024, witch is strange because Not only

has he still been coming to see me, but the Honorable Mrs. Julie Lugo didn't officially deny me the right to a New attorney on an unscheduled court appearance on the last Friday of January 31st of 2025, Yet on the day of the request I got back that states I have No atty listed on 09/25/2024, witch is why I don't understand If he is appointed me on the day of 06/07/2024... That can only mean he some how got himself removed off of my case, with out informing me then some how put back on my case all with out ~~try~~ trying to Inform me of the proceedings thus invoking the violation under "Article 12.015 Racteteering" for the simple fact that if I would of Never made that request when I did, I'd of Never Known of any of his true intentions, and it's Just one way I can prove it, the other way I can prove it is how, I already informed him of how my constitutional right have been violated, is witch case he inform me that it is not his duty to help me obtain relief, and also told me the he does not practice civil law ~~and~~ witch means it is his duty to inform the proper authority, in order so that they can provide me with the assistance I require, and it's how he manages to obstruct Justice in my case Knowing these facts and neglecting and or refusing to do his job on my be half..

Count three: Is for the Honorable "Judge Julie Lugo" for a violation of my Constitutional Rights under the "fifth" (Pg.4)

and sixth Amendments" for denying me the right to adequate representation, after a irreconcilable difference arose between me and my attorney, and for also providing such poor representation as to amount to ineffective assistance of Counsel, apart from that and the information I filled out in a Declaration of Conflict between attorney and client I filed in September of 2024. I would also like to add the fact that I tried to inform Mrs. Lugo of how my Now and then attorney of record Mr Kobby.T. Warren some how got himself removed off my case on the ~~unscheduled~~ unscheduled court appearance I mentioned before on the date of 01/31/2025, Not only did she refuse to acknowledge this information, She also denied his request to withdraw as my attorney the same day at the court appearance, yet she still felt the need to deprive the right to a New attorney.. being as how the law states that a plaintiff seeking to overcome qualified immunity must show (1) That the official violated a statutory or constitutional right (2) The right was clearly established at the time of the challenged conduct..

All of these ~~she~~ should do more then establish the right to a New attorney in witch case should also

Count Four! In Count Number Four I would like to address The prosecutor Ms. Franzen Deanna and hold her accountable for a violation of the "fourteenth amendment" for depriving me of life and liberty, with out the due Course of law by using a more then frivolous
(Pg 5)

Indictment to deprive me of my freedom, ~~it~~ which is listed and Numbered #1829437, And in this indictment the prosecution fails to meet two of the three main elements required by law to be able to convict me of this alleged crime, because according to chapter 17, Criminal Law and procedure Nolos Encyclopedia of every day law list the three elements which a ~~per~~ prosecutor must convince a Judge or a Jury that the person charged with this crime did the acts and had the intent described in the statute. For example commercial burglary might be defined as entering a structure belonging to another person with the intent to commit petty or grand theft. To convict a person of this offense the prosecutor would have to prove each of three elements... 1) The defendant entered the structure 2) The structure belonged to another person 3) The defendant entered the structure ~~is~~ intending to commit petty or grand theft or any felony. Now Article 227 of the Code of Criminal Procedure states that it is ~~required~~ required that an indictment and or bill of information must state every fact and circumstance necessary to constitute the offense, And it's how the prosecution fails to meet the required elements, but successfully violates the "fourteenth amendment right" by depriving me of my freedom with out the ~~due~~ due course of law...

"Prayer for Relief"

wherefore The Plaintiff respectfully prays that this Court enter Judgment

(A) Granting The plaintiff Jimmy Jonathan Balderas #076777 declaration that the acts and omissions described herein violate his rights under the constitution and laws of the United States, and

(B) A preliminary and permanent injunction ordering the defendants ~~be~~ listed above in the Counts to cease all proceedings that have to do with his case the plaintiff is being charged with being as how it is evident that all of the Defendants have a part to play in, when it comes to all of these Infractions listed along in the counts..

(C) Plaintiff Balderas also seeks compensatory damages to the defendants how ever the Judges and or grand Jury of the (5th circuit) deem fit.

(D) The Plaintiff also seeks complete relief in every aspect, such as; injunctive relief, declaratory relief, and punitive damages in the ~~ob~~ amount of \$100,000 from each defendant being as how the defendants committed all of the infractions knowingly and intentionally against the plaintiff...

(E) Plaintiff also seeks a Jury trial on all issues triable by Jury..

(F) Plaintiff also seeks recovery of their cost in this suit and

Any additional relief this court deems just, proper and equitable

Dated: 02/22/2025

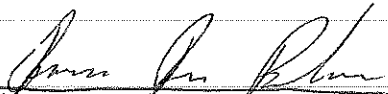
Respectfully Submitted

Jimmy. Jonathan Balderas #0762777
100. N Lamar. St. Fort Worth TX. 76196

- Verification -

I have read the foregoing complaint and hereby verify that the matter alleged on information ~~and~~ and belief and, as to those, I believe them to be true. I certify under penalty of perjury that the foregoing is true and correct

Executed at Tarrant County Corrections on February 22, 2025


Jimmy Jonathan Balderas

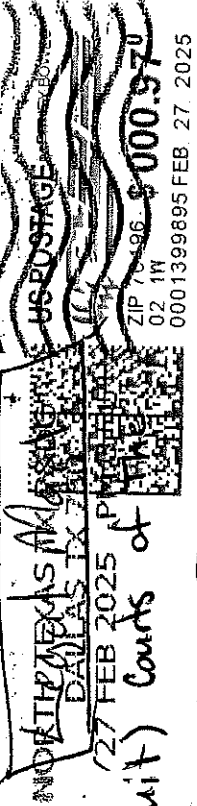
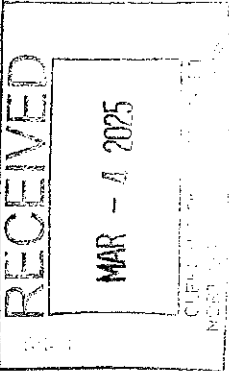
Jimmy Jonathan Baldaras #0762777
100. W. Lamar St. ~~3497~~ 3497 FM
Fort Worth TX 76196

To the (5th Circuit) Courts of

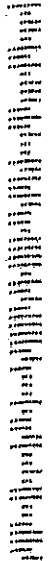
U.S. District Court of Northern Texas

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TARRANT COUNTY JAIL MAILROOM